

Message Text

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ACTION SS-25

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C O N F I D E N T I A L SECTION 1 OF 2 CARACAS 1115

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DESIRED DISTRIBUTION: S/ S/S AND ARA ONLY

E.O. 11652: N/A

TAGS: TGEN, VE

SUBJECT: PROPOSED DRAFT AGREEMENT FOR SCIENTIFIC, EDUCATIONAL AND
TECHNICAL COOPERATION BETWEEN THE GOVERNMENT OF THE
UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC
OF VENEZUELA

REF: CARACAS 1114

THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE
REPUBLIC OF VENEZUELA, ON THE BASIS OF THE FRIENDLY RELATIONS
EXISTING BETWEEN THE TWO COUNTRIES, AND IN VIEW OF THE COMMON
INTEREST IN THE ADVANCEMENT OF SCIENCE, EDUCATION, AND TECHNOLOGI-
CAL DEVELOPMENT SO AS TO IMPROVE THE QUALITY OF LIFE THEIR PEOPLES,
HAVE AGREED TO THE FOLLOWING:

ARTICLE I

1. THE CONTRACTING PARTIES SHALL PROMOTE COOPERATION BETWEEN
THEIR TWO STATES IN SCIENCE, EDUCATION AND TECHNOLOGY.

2. THE ESTABLISHMENT OF PARTICULAR PROGRAMS OR PROJECTS OF MUTUAL
COOPERATION FALLING WITHIN THE TERMS OF THIS AGREEMENT, AND THE
DETAILS THEREOF, SHALL BE SUBJECT OF SPECIFIC ARRANGEMENTS

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CONCLUDED BETWEEN THE COMPETENT MINISTRIES OR DEPARTMENTS OF

THE CONTRACTING PARTIES, OR BETWEEN SUCH PUBLIC OR PRIVATE AGENCIES AS THE CONTRACTING PARTIES, THEIR MINISTERS, OR DEPARTMENTS MAY DESIGNATE.

3. BY MUTUAL APPROVAL OF THE CONTRACTING PARTIES, SCIENTIFIC, EDUCATIONAL, AND TECHNOLOGICAL PERSONNEL, ORGANIZATIONS, AND INSTITUTIONS OF THEIR COUNTRIES OR INTERNATIONAL ORGANIZATIONS MAY BE INVITED TO PARTICIPATE IN PARTICULAR PROGRAMS, PROJECTS AND ACTIVITIES PURSUANT TO THIS AGREEMENT.

ARTICLE II

THE COOPERATION MAY, IN PARTICULAR, INCLUDE THE FOLLOWING:

A. EXCHANGE OF SCIENTIFIC, EDUCATIONAL AND TECHNOLOGICAL INFORMATION;

B. EXCHANGE AND TRAINING OF SCIENTIFIC, EDUCATIONAL AND TECHNICAL PERSONNEL;

C. JOINT OR COORDINATED IMPLEMENTATION OF PARTICULAR PROGRAMS OR PROJECTS;

D. UTILIZATION OF SCIENTIFIC, EDUCATIONAL AND TECHNICAL INSTITUTIONS AND INSTALLATIONS;

E. ESTABLISHMENT AND OPERATION OF SCIENTIFIC, EDUCATIONAL AND TECHNICAL INSTITUTIONS AND INSTALLATIONS.

ARTICLE III

1. THE EXPENSE OF SENDING SCIENTIFIC, EDUCATIONAL AND TECHNICAL PERSONNEL, EQUIPMENT AND MATERIAL OF ONE COUNTRY TO THE OTHER COUNTRY FOR THE PURPOSE OF THIS AGREEMENT SHALL BE BORNE EQUALLY BY THE PARTIES CONTRACTING EXCEPT AS MAY BE OTHERWISE PROVIDED IN ANY SPECIFIC ARRANGEMENTS CONCLUDED PURSUANT TO ARTICLE I, PARAGRAPH 2.

2. PARTICULAR PROGRAMS OR PROJECTS WHICH IT MAY BE DECIDED TO CONFIDENTIAL

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CARRY OUT WITHIN THE FRAMEWORK OF THIS AGREEMENT SHALL BE SUPPORTED AS AGREED IN THE SPECIFIC ARRANGEMENTS REFERRED TO IN ARTICLE I, PARAGRAPH 2.

3. THE OBLIGATIONS OF THE CONTRACTING PARTY UNDER THIS AGREEMENT AND THE SPECIFIC ARRANGEMENTS REFERRED TO IN ARTICLE I, PARAGRAPH 2, ARE SUBJECT TO THE AVAILABILITY OF FUNDS.

ARTICLE IV

THE CONTRACTING PARTIES SHALL FORM A JOINT COMMITTEE ON VENEZUELA-UNITED STATES SCIENTIFIC, EDUCATIONAL AND TECHNICAL COOPERATION.

1. TASK

A. DISCUSS AND FURTHER IMPLEMENTATION OF THIS AGREEMENT AND ANY SPECIFIC ARRANGEMENTS CONCLUDED PURSUANT TO ARTICLE I, PARAGRAPH 2.

B. TO EXCHANGE INFORMATION ON THE PROGRESS OF PROGRAMS, PROJECTS, AND ACTIVITIES OF COMMON INTEREST.

C. DESIGNATE GROUPS OF EXPERTS TO DISCUSS SPECIAL QUESTIONS.

2. COMPOSITION

A. THE JOINT COMMITTEE SHALL BE COMPOSED OF NATIONAL PANELS OF VENEZUELA AND THE UNITED STATES. EACH NATIONAL PANEL SHALL BE MADE UP OF 5 MEMBERS WHO ARE NATIONAL OF THAT NATION.

B. THE MEMBERS OF THE NATIONAL PANELS OF THE CONTRACTING PARTIES SHALL BE DRAWN FROM GOVERNMENT OFFICES, SCIENTIFIC CIRCLES, AND EDUCATION CIRCLES.

C. PANEL MEMBERS SHALL BE NAMED BY AND SERVE AT THE DISCRETION OF THEIR RESPECTIVE GOVERNMENTS.

D. THE CHAIRMAN OF EACH PANEL SHALL BE APPOINTED BY EACH GOVERNMENT RESPECTIVELY FROM AMONG PANEL MEMBERS.
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E. CHAIRMAN AND VICE CHAIRMAN OF THE JOINT COMMITTEE

1) THE CHAIRMAN OF THE PANEL WHOSE COUNTRY THE NEXT MEETING OF THE JOINT COMMITTEE ON VENEZUELA-UNITED STATES SCIENTIFIC, EDUCATIONAL AND TECHNICAL COOPERATION IS SCHEDULED TO BE HELD SHALL BE THE CHAIRMAN OF THE JOINT COMMITTEE, AND THE CHAIRMAN OF THE OTHER NATION'S PANEL SHALL BE THE VICE CHAIRMAN.

2) THE CHAIRMAN AND VICE CHAIRMAN SHALL BE ALTERNATED BETWEEN THE TWO NATIONS, THE TERM OF OFFICE OF EACH TO BE

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ACTION SS-25

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C O N F I D E N T I A L SECTION 2 OF 2 CARACAS 1115

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FROM THE DAY OF AJOURNMENT OF THE JOINT COMMITTEE ON VENEZUELA-
UNITED STATES SCIENTIFIC, EDUCATIONAL AND TECHNICAL COOPERATION
MEETING IN ONE COUNTRY TO THE DAY OF ADJOURNMENT OF THE NEXT
MEETING IN THE OTHER COUNTRY.

3) SUBJECT TO THE AVAILABILITY OF APPROPRIATED FUNDS
FOR EACH GOVERNMENT, THE JOINT COMMITTEE ON VENEZUELA-UNITED
STATES SCIENTIFIC, EDUCATIONAL AND TECHNICAL COOPERATION SHALL
MEET ANNUALLY ALTERNATING BETWEEN VENEZUELA AND THE UNITED
STATES WITH THE FIRST SUCH MEETING TO BE HELD DURING 1976
IN CARACAS, VENEZUELA.

ARTICLE V

THE RESULTS OF THE SCIENTIFIC, EDUCATIONAL AND TECHNICAL
COOPERATION UNDER THIS AGREEMENT SHALL, IN PRINCIPLE, BE AVAILABLE
TO THE WORLD'S SCIENTIFIC, EDUCATIONAL AND TECHNOLOGICAL
COMMUNITEIS THROUGH CUSTOMARY CHANNELS IN ACCORANCE WITH NORMAL
PROCEDURES.

ARTICLE VI

THE SPECIFIC ARRANGEMENTS CONCLUDED PURSUANT TO
ARTICLE I, PARAGRAPH 2, SHALL COVER WHEN APPLICABLE.
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A. PROVISIONS FOR LIABILITY RESULTING FROM ACTIVITIES
PURSUANT TO THIS AGREEMENT;

B. PROVISIONS FOR THE SETTLEMENT OF DISPUTES.

ARTICLE VII

1. THE CONTRACTING PARTIES SHALL FACILITATE, WITHIN THE LIMITATIONS OF THEIR OWN NATIONAL LEGISLATION, THE ENTRY INTO AND EXIT FROM THE NATIONAL TERRITORY OF SCIENTIFIC, EDUCATIONAL AND TECHNICAL PERSONNEL AND MEMBERS OF THEIR IMMEDIATE FAMILIES AS WELL AS EQUIPMENT AND MATERIALS TO BE UTILIZED FOR THE PURPOSES OF THIS AGREEMENT.

2. THE PERSONAL EFFECTS OF SCIENTIFIC, EDUCATIONAL AND TECHNICAL PERSONNEL AND MEMBERS OF THEIR IMMEDIATE FAMILIES AS WELL AS EQUIPMENT AND MATERIAL IMPORTED OR EXPORTED UNDER THIS

AGREEMENT OR UNDER SPECIFIC ARRANGEMENTS PURSUANT TO ARTICLE I, PARAGRAPH 2, SHALL BE EXEMPT FROM THE PAYMENT OF CUSTOMS DUTIES AND OTHER FEES OR SURTAXES COLLECTED IN CONNECTION WITH IMPORT OR EXPORTS TRANSACTIONS.

ARTICLE VIII

1. THIS AGREEMENT SHALL ENTER INTO FORCE ON THE DATE ON WHICH BOTH CONTRACTING PARTIES NOTIFY EACH OTHER THAT THEIR GOVERNMENTS HAVE COMPLIED WITH THE LEGAL REQUIREMENTS IN EFFECT FOR ITS ENTRY INTO FORCE.

2. THIS AGREEMENT SHALL REMAIN IN FORCE FOR FIVE YEARS, AND MAY BE EXTENDED FOR SUCCESSIVE FIVE-YEAR PERIODS, UNLESS TERMINATED BY ONE OF THE CONTRACTING PARTIES BY NOTICE IN WRITING GIVEN TWELVE MONTHS BEFORE ITS EXPIRATION. THIS SHALL NOT AFFECT THE TERM OF ANY SPECIFIC ARRANGEMENTS CONCLUDED PURSUANT TO ARTICLE I, PARAGRAPH 2, OR ARTICLE IX, PARAGRAPH 1.

ARTICLE IX

1. EXISTING AGREEMENTS AND ARRANGEMENTS BETWEEN THE CONTRACTING
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PARTIES FOR COOPERATION IN SCIENCE AND TECHNOLOGY SHALL NOT BE AFFECTED BY THIS AGREEMENT. HOWEVER, THEIR INCORPORATION WITHIN THE FRAMEWORK OF THIS AGREEMENT MAY BE AGREED UPON THROUGH AN EXCHANGE OF NOTES BETWEEN THE CONTRACTING PARTIES.

2. NOTHING IN THIS AGREEMENT SHALL PRECLUDE THE FULL COOPERATION
OF THE CONTRACTING PARTIES WITH SCIENTIFIC, EDUCATIONAL AND
TECHNOLOGICAL ACTIVITIES OF NATIONALS OF THE OTHER PARTY WHO
MIGHT WISH TO OPERATE OUTSIDE THE PROVISIONS OF THIS AGREEMENT.
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